

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CARPENTERS PENSION AND ANNUITY FUND	:	CIVIL ACTION
OF PHILADELPHIA AND VICINITY, et al	:	
	:	
Plaintiffs	:	
	:	
v.	:	
	:	
WILLIAM MURPHY	:	
Defendant	:	NO. 02-4548

**REQUEST TO ENTER DEFAULT PURSUANT TO F.R.C.P. 55(a)**

You will please enter a default on Defendant William Murphy for failure to plead or otherwise defend the Complaint filed on July 9, 2002, as provided in Rule 55(a) of the Federal Rules of Civil Procedure as appears in the attached declaration of Richard J. DeFortuna, Esquire.

Respectfully submitted,

JENNINGS SIGMOND, P.C.

By: s/Richard J. DeFortuna  
RICHARD J. DeFORTUNA, ESQUIRE (ID. NO.86260)  
SANFORD G. ROSENTHAL (ID. NO. 38991)  
Jennings Sigmond, P.C.  
The Penn Mutual Towers  
510 Walnut Street, 16th Floor  
Philadelphia, PA 19106  
(215) 351-0622/0611

Date: August 23, 2002

**IN THE UNITED STATES DISTRICT COURT  
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OF PHILADELPHIA AND VICINITY, et al	:	
	:	
Plaintiffs	:	
	:	
v.	:	
	:	
WILLIAM MURPHY	:	
Defendant	:	NO. 02-4548

**DECLARATION OF RICHARD J. DEFORTUNA FOR ENTRY OF DEFAULT**

Richard J. DeFortuna, Esquire, having been first duly sworn according to law, hereby  
deposes and states as follows:

1. I am the attorney for the Plaintiffs in the above-entitled action.
2. The Complaint and Summons in this action were served on the Defendant, by Gerald Taylor, Process Server, on July 24, 2002, as appears from the Affidavit of Service of the Complaint which has been duly docketed with the Court. The time in which the Defendant may answer or otherwise move as to the Complaint has expired.
3. The Defendant has not answered or otherwise moved and the time for Defendant to answer or otherwise move has not been extended.

I declare under penalty of perjury in accordance with 28 U.S.C. §1746 that the foregoing is true and correct to the best of my knowledge, information and belief

Executed on : August 23, 2002

s/Richard J. DeFortuna  
RICHARD J. DEFORTUNA, ESQUIRE

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	:	
Plaintiffs	:	
	:	
v.	:	
	:	
WILLIAM MURPHY	:	
Defendant	:	NO. 02-4548

## DECLARATION OF NON-MILITARY SERVICE

RICHARD J. DEFORTUNA, ESQUIRE, having been duly sworn according to law hereby deposes and states that he is legal counsel for Plaintiffs Carpenters Pension and Annuity Fund of Philadelphia and Vicinity, et al., and that the Defendant is not in the military or naval service of the United States or its allies, or otherwise within the provisions of the Soldiers and Sailors Civil Relief Act of 1940 or its amendments.

I declare under penalty of perjury in accordance with 28 U.S.C. §1746 that the foregoing is true and correct to the best of my knowledge, information and belief

Executed on : August 23, 2002

s/Richard J. DeFortuna  
RICHARD J. DEFORTUNA, ESQUIRE

**CERTIFICATE OF SERVICE**

I, Richard J. DeFortuna, Esquire, statue under pena lty of perjury that I caused a copy of the foregoing Request to Clerk to Enter Default Pursuant to F.R.C.P. 55(a) to be served via first class mail, postage prepaid on the date and to the address below:

William Murphy  
1127 Wilson Drive  
Upper Darby, PA 19082

s/Richard J. DeFortuna  
RICHARD J. DEFORTUNA, ESQUIRE

Date: August 23, 2002

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